



MAIL STOP RESPONSE
Attorney Docket No. 26274

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FRANCHI et al.

Confirmation No.: 8362

Serial No.: 10/506,407

Group Art Unit: 1617

Filed: September 1, 2004

Examiner: Carter, K.

For: **COSMETIC USE OF PHYTOSPHINGOSINE AS A SLIMMING
AGENT AND COSMETIC COMPOSITIONS COMPRISING
PHYTOSPHINGOSINE**

RESPONSE TO OFFICE ACTION DATED JULY 22, 2009

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This paper is submitted in response to the Office Action dated July 22, 2009, which had a three month shortened statutory period for reply. As such, a petition requesting a one month extension of time is attached hereto, thereby extending the reply period until November 22, 2009. As such, this response is timely filed.

In view of the following, Applicants respectfully request the Examiner to withdraw the outstanding rejections and allow all of the pending claims on the bases of the following:

Claim amendments can be found on **page 2**.

Remarks regarding the office action can be found on **page 4**.

A conclusion can be found on **page 5**.